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COMMISSION ON HUMAN RIGHTS
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Agenda item 19

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Brazil, Colombia, Costa Rica, Mexico, Peru, Uruguay and Venezuela: draft resolution

El Salvador

The Commission on Human Rights,

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Recalling its resolution 1993/93 of 10 March 1993, and the statement by the Chairman of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of 20 August 1993 (E/CN.4/1994/2 - E/CN.4/Sub.2/1993/45, para. 245),

Recalling also General Assembly resolution 48/149 of 20 December 1993,

Taking note of the report of the Independent Expert (E/CN.4/1994/11),

Convinced that full and speedy implementation of the outstanding commitments of the Peace Accords is necessary in order to guarantee full respect for human rights and the consolidation of the reconciliation and democratization process under way in El Salvador,

Concerned that, in spite of the substantial progress made in the field of human rights, continuing acts of violence, such as the recent assassinations, attacks and threats against members of various political parties, could affect the peace and national reconciliation process,

Welcoming in this regard the efforts of the Secretary-General in cooperation with the Government of El Salvador, to establish the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups, which is to conduct an impartial and independent investigation into the activities of such groups and their consequences as regards political violence,

Recognizing that the work of the Secretary-General of the United Nations and his representatives and the monitoring carried out by the United Nations Observer Mission in El Salvador, in particular its Human Rights Division, have contributed significantly to the success of the Peace Accords,

Recognizing that the effective protection of human rights calls for continued strengthening of and support for the judicial system to help to eliminate impunity and thus ensure the full attainment of the rule of law,

Recognizing with satisfaction the fulfilment of most of the commitments made by the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

Considering that a commitment was made to implement the recommendations of the Human Rights Division of the United Nations Observer Mission in El Salvador and the Commission on the Truth, and emphasizing that a new process for the full implementation of the peace and national reconciliation agreements is under way,

Taking into account the general elections to be held in El Salvador on 20 March 1994 within a climate of peace achieved by the people of El Salvador,

Recalling the commitment of 5 November 1993 by the presidential candidates to abide by the peace and reconciliation agreements,

Aware that the international community must continue to support all efforts by the Government of El Salvador to consolidate peace, ensure full respect for human rights and undertake the reconstruction of El Salvador,

1. Expresses its thanks to the Independent Expert for his work and takes note of the report submitted in accordance with his terms of

reference (E/CN.4/1993/11) and regrets that circumstances did not permit him to visit El Salvador as planned;

2. Expresses its satisfaction and gratitude to the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional for having fulfilled most of the commitments made and having overcome a number of obstacles to the implementation of the agreements, within the framework of the peace and reconciliation process;

3. Recognizes the work of the Governments of Colombia, Spain, Mexico and Venezuela, which make up the Group of Friends of the Secretary-General, and of the Government of the United States of America in supporting the peace process in El Salvador;

4. Recognizes that, while there have been substantial improvements in the situation of human rights in El Salvador, some negative circumstances still exist concerning the observance of the right to life and that the capacity of the judicial system to shed light on and punish human rights violations continues to be unsatisfactory;

5. Urges the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional to intensify their efforts to continue and complete the land transfer programme, the programme for the reintegration of former combatants into society, the deployment of the new National Civil Police, the collection of weapons in the private hands of the armed forces and the adoption of the Act on Private Security Services, in accordance with the agreements;

6. Expresses its belief that it is important to continue strengthening the Office of the National Counsel for the Defence of Human Rights and to carry out the agreed judicial reforms to ensure its independence and impartiality;

7. Commends the Government of El Salvador on the establishment of the Inter-institutional Investigating Group to investigate human rights violations and punish those responsible, and of the Joint Group for the Investigation of Illegal Armed Groups, set up on the initiative of the Secretary-General and recommended by the Commission on the Truth, and urges all sectors of Salvadorian society to cooperate with that investigation;

8. Reiterates its gratitude for the important work being carried out by the Secretary-General and his representative and by the United Nations Observer

Mission in El Salvador, and extends to them its support so that they can continue to take all necessary steps to contribute to the successful implementation of the Peace Accords;

9. Requests the Secretary-General to provide the Government of El Salvador with any advisory services it may request, through the Centre for Human Rights;

10. Reaffirms its confidence that the elections of 20 March 1994 will strengthen national reconciliation and urges the people of El Salvador to participate in them;

11. Expresses its support for the statement of 5 November 1993, entitled "Commitment of the presidential candidates to peace and stability in El Salvador", in which the candidates inter alia solemnly committed themselves to maintain the constructive evolution of the peace process and to implement all the commitments contained in the Peace Accords and rejected any politically motivated violence or intimidation;

12. Reiterates its gratitude for the important work being done by the Secretary-General and his representatives and by the Human Rights Division of the United Nations Observer Mission in El Salvador, and emphasizes the importance of the active monitoring being conducted and requests the Secretary-General to inform the Commission of the results at its fifty-first session, if he deems it necessary;

13. Invites the Government of El Salvador to report on the implementation of this resolution at the next session of the Commission under the agenda item "Advisory services in the field of human rights".